Message

From: Videtich, Callie [Videtich.Callie@epa.gov]

Sent: 11/16/2016 2:18:06 PM

To: Logan, Paul [Logan.Paul@epa.gov]

Subject: RE: DB and Treaty Rights

Paul:

Thanks for your note and yes I agree that TAP should be leading. I think the Region is struggling with who does what right now even though we never changed our own expectations of roles. I see it in many different areas related to consultation and treaty rights.

A discussion at SLT is warranted. The tricky thing is we don't have a tribal advisor on board and I don't know if we should wait until then to talk to SLT or do it now since there is no word when the advisor might come on board.

Thoughts? I am in all day and we can strategize on this.

Cal

From: Logan, Paul

Sent: Wednesday, November 16, 2016 7:03 AM **To:** Videtich, Callie < Videtich. Callie@epa.gov>

Subject: RE: DB and Treaty Rights

Thanks Callie.

As an aside, it might be worth a reminder to SLT and/or RLT that these types of tribal issues, even when they have Indian law issues within them, need to be run by TAP. For whatever reasons, a lot of clients seem to be coming only to Kim about these issues. While I'm glad that ORC is involved, because we should be involved on Indian law issues, I think that people in the region are also coming to ORC with non-legal matters that should belong to TAP. In other words, I want ORC to serve our role, but also to stay in our lane, and ensure that the region is coming to TAP for the policy questions. Do you think it's worth a reminder to regional management about that? Perhaps a brief mention at SLT or something like that?

Paul Logan

Acting Regional Counsel | EPA Region 8 303.312.6854 | logan.paul@epa.gov

From: Videtich, Callie

Sent: Tuesday, November 15, 2016 7:03 AM

To: Logan, Paul <Logan.Paul@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>; Varilek, Kimberly

<a href="mailto: warilek.Kimberly@epa.gov; Sutin, Elyana Sutin, Elyana@epa.gov>

Cc: Bahrman, Sarah < Bahrman, Sarah@epa.gov >; Minter, Douglas < Minter, Douglas@epa.gov >

Subject: RE: DB and Treaty Rights

Paul

Thanks for looping me in. I will follow up with Kim today!

From: Logan, Paul

Sent: Monday, November 14, 2016 10:24 PM

To: Chin, Lucita < Chin, Lucita@epa.gov>; Varilek, Kimberly < Varilek, Kimberly@epa.gov>; Sutin, Elyana

<Sutin.Elyana@epa.gov>

Cc: Bahrman, Sarah Bahrman, Sarah@epa.gov; Minter, Douglas Minter.Douglas@epa.gov); Videtich, Callie

<<u>Videtich.Callie@epa.gov</u>>

Subject: RE: DB and Treaty Rights

Just saw this. Thanks Lucita.

Ex. 5 AC/DP

Paul Logan

Acting Regional Counsel | EPA Region 8 303.312.6854 | logan.paul@epa.gov

From: Chin, Lucita

Sent: Monday, November 14, 2016 1:13 PM

To: Logan, Paul < Logan. Paul@epa.gov>; Varilek, Kimberly < Varilek. Kimberly@epa.gov>; Sutin, Elyana

<Sutin.Elvana@epa.gov>

Cc: Bahrman, Sarah <Bahrman.Sarah@epa.gov>; Minter, Douglas < Minter.Douglas@epa.gov>

Subject: DB and Treaty Rights

Paul and Elyana – last week, OCPI scheduled a call with R8 and OITA to discuss DB. One question that OITA asked was the following:

Ex. 5 AC/DP

Thanks, Lucita

Lucita Chin Associate Regional Counsel Environmental Protection Agency 1595 Wynkoop St. Denver, CO 80202